IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CRIMINAL APPLICATION No 1121 of 1998

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

SARWAR KARIMULLA

Versus

STATE OF GUJARAT

Appearance:

None present for Petitioner

MR SAMIR DAVE, APP for Respondent No. 1

None present for other Respondents

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 12/12/2000

ORAL JUDGEMENT

#. Heard the learned counsel for the respondent-State and perused the special criminal application.

#. The learned counsel for the respondent-State states that against the very incident in respect of which the petitioner is praying for holding of immediate inquiry, a criminal complaint has been filed against the petitieonr by the jail authorities. In the said criminal complaint, the investigation is completed and chargesheet has also been submitted in the court. In that case, the petitioner was convicted and he was sentenced for four years and six months' imprisonment and a fine of Rs.1,600/=. Against this judgment of the trial court, the petitioner filed Appeal before this court which is pending.

#. In view of this fact, in this petition now nothing survives. In fact, the petitioner was found to be the person concerned who committed offence in jail and to patch his own acts which resulted in criminal offence, he appears to have filed this petition.

#. In the result, this special criminal application fails and the same is dismissed. Rule discharged. Interim relief, if any, earlier granted stands vacated. No order as to costs.

(S.K.Keshote, J.)

(sunil)